

IN THE DISTRICT COURT IN AND FOR LINCOLN COUNTY  
STATE OF OKLAHOMA

FILED

MAY 26 PM 2:33

CIRDY KIRBY CT. CLK.  
LINCOLN CO., OKLA.

Case No. CJ-09-037

Judge Paul Vassar

CRYSTAL DAWN ALBARRAN-GIRON,

Child A, A MINOR CHILD,  
THROUGH MOTHER AND GUARDIAN AD  
LITEM, CRYSTAL DAWN ALBARRAN-  
GIRON

Child B, A MINOR CHILD,  
THROUGH MOTHER AND GUARDIAN AD  
LITEM, CRYSTAL DAWN ALBARRAN-  
GIRON

Child C, A MINOR CHILD, BY  
MOTHER AND GUARDIAN AD LITEM,  
CRYSTAL DAWN ALBARRAN-GIRON

AND

JUAN ALBARRAN-GIRON, DECEASED,  
THROUGH SURVIVING WIDOW,  
CRYSTAL DAWN ALBARRAN-GIRON

Plaintiffs,

vs.

RONALD HARPER, RICHARD LEE  
ALDRIDCH, CON-WAY TRUCKLOAD, INC.,  
d/b/a CON-WAY TRUCKLOAD, CON-WAY,  
INC., ACE AMERICAN INSURANCE CO.,  
and ACE LIMITED,

Defendants.

**ORDER APPROVING SETTLEMENT AGREEMENT WITH MINORS**

NOW on this 26<sup>th</sup> day of May, 2009, this matter coming on before me, the  
undersigned Judge of the District Court, and having reviewed the pleadings herein,

heard testimony of witnesses sworn and statement of counsel, and being fully advised in the premises herein, finds as follows:

1. On or about December 24, 2008, the parties hereto were involved in an accident. That as a result of the accident, the minors were allegedly injured, and claims have arisen against Defendant Harper that are disputed both as to liability and damages. The parties have reached a compromise agreement and have requested that the Court approve the settlement.

2. THE COURT FINDS that Crystal Dawn Albarran-Giron is competent and the proper party to act on behalf of the minors.

3. THE COURT FINDS that a compromise agreement has been reached wherein Defendant Harper has offered to pay a total sum of \$16,666.67 for the injuries to Child B and \$16,666.67 for the injuries to Child C, and \$16,666.66 for the injuries to Child A representing the claims for all necessary and incidental expenses, past and future, incurred or to be incurred, because of the alleged injuries to the minors, and for loss of love, services and affection of the minors due to said alleged injuries, and attorney fees and costs, and representing full payment for pain and suffering, both past and future, permanent disability, disfigurement and any other claim the minors may have now, or which may arise in the future, known or unknown, resulting from the said accident.

4. THE COURT FINDS that the Plaintiff has reached an informed decision to waive the right to trial by jury in regard to the minors' claims. Plaintiff is fully aware of the consequences of the settlement of this matter and is aware that once the Court approves this settlement and the settlement proceeds have been paid, that both the

parent and the minors, even after reaching the age of majority, shall be forever barred from making additional claims for the minors as a result of the subject accident, even if the medical condition of the minors does not continue as presently anticipated or shall unexpectedly change for the worse after this settlement.

5. THE COURT FINDS that the parties have agreed, and the Court so orders, that the parent, individually, shall pay any and all outstanding medical bills, liens, attorney fees, and any other claims made against the settlement proceeds, and shall indemnify Defendant Harper from any further loss, as set out in the Joint Petition.

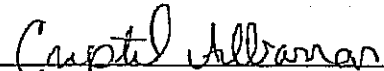
6. The Court has heard testimony as to the medical condition and prognosis of the minors, and as to the other elements of damage and liability in the case, and finds that the settlement agreement is fair, equitable, and in the best interest of the minors; that it was entered into free from fraud, coercion and duress by either of the parties, their agents, insurers or attorneys. Said agreement is hereby approved by the Court.


7. Nothing in this Order shall be construed as a finding of this Court regarding the total amount of damages incurred. Plaintiffs contend the losses are much more than the amount paid as a result of this settlement.

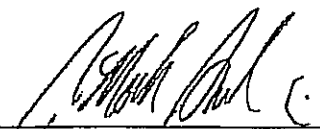
THE COURT FINDS AND HEREBY ORDERS that the proposed settlement as set forth above and in the Joint Petition, should be and hereby is approved and upon payment of the settlement proceeds, or purchase of the annuity contract, Defendant Harper shall be deemed to be released from any and all further liability to the other parties as a result of the automobile accident described herein.

  
JUDGE OF THE DISTRICT COURT

APPROVED AS TO FORM & CONTENT:

  
CRYSTAL DAWN ALBARRAN-GIRON, individually  
and as mother and guardian ad litem of. Child A,  
Child B and Child C, minors,  
*Plaintiff*

  
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